IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CIVIL APPLICATION NO.212 OF 2004

In

WRIT PETITION NO.7313 OF 2002

Smt.Sarika Sameer Kshatriya & Anr. : Applicants

V/s.

Shri Sameer Gajendrass Kashtriya & Anr. : Respondents

...

Mr.S.S. Kulkarni for the applicants.

Mr.Vilay Killedar for the respondents.

...

CORAM : S.A. BOBDE, J.

July 8, 2005.

P.C.:

On the last occasion, this Court had made it clear that the order of maintenance granted by the lower Court is not stayed by an earlier order dated 8.7.2003 and that only the arrest warrant to the respondent no.1 is stayed. The learned counsel for the respondents had sought for three weeks' time to take instructions. The learned counsel for the respondents states that he has asked the respondent no.1 to contact him. The Respondent no.1 has, however, failed to respond to his Advocate. Hence, the order dated 8.7.2003 is vacated. However, the order dated 8.7.2003 to the extent it stays the arrest warrant is not

vacated. However, the interim relief shall continue in terms of prayer clause (b) of the Writ Petition until further orders. The Civil Application stands disposed of. The petitioner will be at liberty to apply for direction to the respondents to deposit the amount of maintenance before the executing Court.

S.A. BOBDE, J.